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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/800,444

03/15/2004

Lester Chu

66703-0014

1779

10291 7590 12/03/2010  
RADER, FISHMAN & GRAUER PLLC  
39533 WOODWARD AVENUE  
SUITE 140  
BLOOMFIELD HILLS, MI 48304-0610

EXAMINER

ROSEN, NICHOLAS D

ART UNIT

PAPER NUMBER

3625

MAIL DATE

DELIVERY MODE

12/03/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* LESTER CHU, EDWIN HARADA, DOUGLAS HEATHERLY,  
TIMOTHY MAHONEY, JAMES MESSINA, and JAMES PALMA

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Appeal 2010-003625  
Application 10/800,444  
Technology Center 3600

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Before STEVEN J. BARTLETT, *Division 2 Support Manager*.

ORDER DISMISSING APPEAL

On August 7, 2007, Appellants filed a Notice of Appeal. On September 9, 2009, Appellants filed a request to reopen prosecution, exercising their option to reopen prosecution in response to a new ground of rejection contained in the Examiner's Answer mailed on July 9, 2009. Per 37 C.F.R. § 41.39(b)(1), this request is treated as a request to withdraw the appeal.

Appeal 2010-003625  
Application 10/800,444

Accordingly, the appeal in this application is dismissed.

The application is being returned to the Examiner for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

mls

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